

107TH CONGRESS
1ST SESSION

H. R. 1902

To amend the Fair Labor Standards Act of 1938 to prohibit forced overtime hours for certain health care employees who provide care to patients.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2001

Mr. LANGEVIN (for himself, Mr. KENNEDY of Rhode Island, and Mr. FRANK) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Fair Labor Standards Act of 1938 to prohibit forced overtime hours for certain health care employees who provide care to patients.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Patient Care Employ-
5 ees Protection Act”.

6 **SEC. 2. NURSES AND OVERTIME HOURS.**

7 Section 7(j) of the Fair Labor Standards Act of 1938
8 (29 U.S.C. 207(j)) is amended—

1 (1) by striking “No employer” and inserting

2 “(1) Subject to paragraph (2), no employer”; and

3 (2) by adding at the end the following:

4 “(2) An employer described in paragraph (1) may not
5 require an employee covered by an agreement or under-
6 standing described in such paragraph (other than a physi-
7 cian) who provides health care to patients to work more
8 than 8 hours in any workday or 80 hours in any 14-day
9 work period, except in the case of a natural disaster or
10 while a Federal, State, or local declaration of a state of
11 emergency is in effect in the locality in which such em-
12 ployee is employed. No such employer may discriminate
13 or take any other adverse action against such an employee
14 for declining to work more than 8 hours in a workday or
15 80 hours in a 14-day work period. Such an employee may
16 voluntarily work more than 8 hours in any workday or
17 more than 80 hours in a 14-day work period, at the re-
18 quest of the employee’s employer. Notwithstanding any
19 provision of title 5 or title 38, United States Code, to the
20 contrary, this paragraph applies to an employee appointed
21 under either such title (other than a physician) who pro-
22 vides health care to patients.”.

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